

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
NOVEMBER 11, 2010
COUNCIL CHAMBERS
6:30 p.m.**

CALL TO ORDER: Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

At this time Mayor Norkavage requested a moment of silence for all Veterans.

ROLL CALL:

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	STEVEN BURG	PRESENT
3 RD DISTRICT	THOMAS S. NOVAK, JR.	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	JOHN N. PASQUALE, JR.	PRESENT

Town Manager, John Giles – Present

Town Solicitor, Edward McNally – Present

Chief Scott McLaren – Present

PUBLIC COMMENT:

Mr. Bob Goerlitz, President of the Elsmere Business Association, thanked Mayor and Council for the tribute to the Veteran's. At this time, he gave a brief background of the Elsmere Business Association and its functions.

Thomas and Barbara Matyniak of 509 Junction Street expressed their concerns regarding the parking situation at Casapulla's Sub Shop. They further explained it is a safety hazard and they would like to see something be done about the situation.

Mayor Norkavage asked Chief McLaren if he would look into this particular area to see how it could be made a safer intersection.

Chief McLaren agreed to do so.

APPROVAL OF MINUTES:

Mayor and Council considered the approval of the Minutes of the October 14, 2010 Council Meeting.

ACTION: A motion was made by Councilwoman Personti to approve the Minutes of the October 14, 2010 Council Meeting with one minor correction on page 1 where it is noted that Town Solicitor, Edward McNally was Absent, but was actually Present at the meeting. Councilman Novak noted on page 5 is should be “wayside” instead of “waste side”. The motion was seconded by Councilman Jaremchuk.

VOTE:

1st District Councilman Jaremchuk – Yes, 2nd District Councilman Burg – Yes, 3rd District Councilman Novak – Yes, 4th District Councilman McKewen – Yes, 5th District Councilwoman Personti – Yes, 6th District Councilman Pasquale – Abstained, Mayor Norkavage – Yes

VOTE: 6 – 0, with 1 – Abstained

Motion carried

Councilman Pasquale abstained from the vote due to not being present at the October 14, 2010 Council Meeting.

OLD BUSINESS:

Mayor and Council considered the approval for Third and Final Reading as well as a Public Hearing of Ordinance 524.

An Ordinance amending Ordinance 521 which requires the registration and payment of fees for vacant properties.

ACTION: A motion was made by Councilman Novak to adopt Ordinance 524 for Third and Final Reading. The motion was seconded by Councilman Burg.

VOTE:

7 – 0

Motion carried

Mayor and Council considered the approval for Third and Final Reading as well as a Public Hearing of Ordinance 525.

An Ordinance amending Chapter 184 of the Code of the Town of Elsmere concerning Satellite Dish Antennas.

ACTION: A motion was made by Councilman Pasquale to adopt Ordinance 525 for Third and Final Reading. The motion was seconded by Councilman Jaremchuk.

VOTE:

7 – 0

Motion carried

Mayor and Council considered the approval on the Public Safety Department's request for additional funds to accommodate the cost of the hiring of a new Police Chief.

Town Manager, John Giles explained the monies that would be needed to account for the Police Chiefs salary is already in the department's budget, it would just need to be moved around. Basically, there is no additional monies needed.

NEW BUSINESS:

Mayor and Council considered the approval for First and Second Reading of the Revised Ordinance 487.

An Ordinance re-creating Chapter 900 of the Code of the Town of Elsmere which establishes the procedures for Municipal Elections.

Mr. Giles explained the Revised Ordinance 487 is now compliant with the State Law compared to the new Town Charter regarding Delaware's Election requirements.

ACTION: A motion was made by Councilman Jaremchuk to approve for First and Second Reading of Revised Ordinance 487. The motion was seconded by Councilman Novak.

VOTE:

7 – 0

Motion carried

Mr. Giles reported to Mayor and Council about the one significant item that changed which is that the Town's Charter use to require the Mayor be at least thirty (30) years old, but the State Law states this individual would only have to be eighteen (18) years of age. He further explained in the Revised Ordinance 487, it does state the Mayor can be eighteen (18) years of age. He will check with Town Solicitor, Edward McNally to see if this can be changed or not.

Mayor and Council considered reviewing the information received from Vandemark & Lynch, Inc. concerning the potential impact the proposed Greenville Center, Barley Mill Plaza may have on the Town.

Mr. Giles explained there were two documentations received, one from Vandemark & Lynch, which talks in general about Barley Mill Plaza, and the other was an email he received from Stephen Rosenfeld which essentially said if the Town wanted him to look into this project any further, he anticipated the cost to be approximately \$30,000.00 or possibly higher.

Councilman Jaremchuk strongly objected to the aforementioned due to the high cost involved. He further mentioned to Mr. Giles if he could pass it on to Mr. Rosenfeld, that he was a very big help in suggesting to contact County Council.

ACTION: A motion was made by Councilman Jaremchuk to request County Council, Mr. Joseph Reda and County Executive Clark to please fund the study and to let Mayor and Council know what impact it is going to have on the Town of Elsmere. The motion was seconded by Councilwoman Personti.

VOTE:

7 – 0

Motion carried

Mayor and Council considered approving the Town's 2011 Holiday Schedule.

ACTION: A motion was made by Councilwoman Personti to approve the Town's 2011 Holiday Schedule as presented, with the acknowledgement that January 1, 2011, New Year's Day, be celebrated as a Town Holiday on December 31, 2010. The motion was seconded by Councilman McKewen.

At this time there was discussion regarding the consideration of giving the employees an extra personal day during the years when it isn't an election year since the employees are given the extra day off when an election falls during that particular year anyway.

VOTE:

1st District Councilman Jaremchuk – Yes, 2nd District Councilman Burg – No, 3rd District Councilman Novak – Yes, 4th District Councilman McKewen – Yes, 5th District Councilwoman Personti – Yes, 6th District Councilman Pasquale – Yes, Mayor Norkavage – Yes

VOTE: 6 – 1

Motion carried

Councilman Burg explained he is not against the holidays, he felt the employees should have been given the extra personal day.

Mayor and Council considered discussing the concern regarding the announced changes which will occur at Corpus Christi School and how they may impact the Town.

Mr. Giles reported a meeting was held with the representatives from Corpus Christi, along with a representative from the Diocese, Chief McLaren, Councilman Burg, Councilman Pasquale, Mayor Norkavage and himself. Basically the bottom line is a lot of issues were not taken into consideration when the schools decided to merge with Corpus Christi, therefore, they will continue to hold meetings regarding these issues.

Mayor Norkavage commented she felt Corpus Christi needs to put together a viable plan regarding the traffic issues that are of concern.

At this time there was a lengthy discussion in reference to the issues and concerns regarding the merging of Corpus Christi School.

Mayor and Council considered approving the proposal submitted by Mrs. Olga of the Finance Committee to establish an "Employee Incentive Program".

Mrs. Olga explained she is requesting Mayor and Council to consider funding an Employee Incentive Program for an initial \$5,000.00. The incentive plan would be if any Town employee were to come up with an idea either to reduce costs or to increase revenue without increasing property taxes or increase productivity, then that employee would be eligible for a bonus equal to 10% of the first years either revenue or cost reduction. She further stated the Town employees know what their jobs entail, and with having hands on experience

on a day-to-day basis, they would have the best knowledge on how to do things differently at reduce costs. Therefore, she feels there should be some sort of monetary incentive for them doing so. Also, should an employee or group of employees coordinate a revenue raising event, such as the Chili Cook-off, per se, and the reflection of the amount of work that goes into that type of event, they would get 20% of the net profit.

Councilman Jaremchuk stated he felt this would be a win-win situation.

Mrs. Olga further stated in any event or any cost saving measure of \$10,000.00 or more, then perhaps Mayor and Council should discuss an appropriate bonus for the Town Manager or Chief of Police since this would be an added task for them in overseeing and accepting these proposals.

ACTION: A motion was made by Councilman Burg to move forward and adopt the "Employee Incentive Program". The motion was seconded by Councilman Pasquale.

VOTE:

7 – 0

Motion carried

DEPARTMENTAL REPORTS:

Code Enforcement:

Mr. Giles reported he anticipates getting the part-time Code Officer to start in December.

Finance:

Mr. Giles requested Mayor and Council to transfer money within the Administrative Department's Budget. From the Administrative Salary Line Item \$10,000.00 to the Administrative Contract/Professional Services Line Item, which would pay the part-time individual while we are minus a full-time employee. He also requested to have transferred from the Police Pension Line Item \$2,000.00 to the Business Insurance Line Item, which is due to Chief McLaren not taking the pension offered by the Town, the money is not needed that was originally put in the Budget for that purpose. He further stated flood insurance was left out for the Public Works Building, however the building is insured but there isn't enough money in that Line Item. Mr. Giles also requested to transfer \$2,000.00 into the Civic Affairs Line Item due to the holiday events that are coming up.

ACTION: A motion was made by Councilman Novak to approve Town Manager, John Giles' request for the aforementioned line item transfers. The motion was seconded by Councilman McKewen.

VOTE:

7 – 0

Motion carried

At this time there was discussion on how to get more businesses involved with helping with the Town events, and also possibly doing an amendment to the Town's Comprehensive Plan regarding annexation.

Public Safety:

Chief McLaren reported on the following:

- In regards to the fourteen (14) year old girl who was assaulted on Maple Avenue, they have had a composite made of the attacker which has been made public.
- The Police Department received their new vehicle and are in the process of getting it equipped. Also, one of their vehicles is currently in the shop due to losing its transmission, but is covered by warranty. However, another one of their vehicles has major transmission problems.
- The Lexus Dealership is setting up high-tech cameras, and possibly the Police Department will be getting a computer that links to the cameras for purposes of being able to get any live feed around the property and business. They may also be able to stream that video to the laptops in the officers vehicles.
- They are up and running on the portal system with the County and hope to possibly give a demo at next month's meeting.
- Businesses throughout the Town inquired how they could be notified when something occurs in the Town, such as when a helicopter is continuously flying over the same area, etc. He reported when situations arise, Administrative Assistant, Linda Sommermann will send out an email to Mayor and Council to make them aware of what is going on.

Councilman Pasquale inquired about the teenagers that were roaming the Town, if they have since moved on.

Chief McLaren reported they disappeared the night of the flood and haven't been spotted around Town since.

Councilman Pasquale also inquired about the burglaries that have been occurring throughout the County.

Chief McLaren reported the County had over thirty (30) gun burglaries.

Councilman Novak reported he seen a suspicious looking individual approximately 4:15 p.m. today in the Tamarack Avenue area and was last seen heading east on Kirkwood Highway.

Chief McLaren thanked the Public Works employees for helping the Police Department out with retrieving furniture that was donated to them.

Public Works:

Mr. Giles reported the new pickup truck for the Public Works Department has arrived and is currently being used. Also, in November he will be putting out a bid for repair costs and replacement costs due to the leak that is in the ceiling in the Public Works building.

Town Manager's Report:

Mr. Giles reported on the following:

- He received an email from DELDOT and they confirmed the bridge is structurally sound, however, the bridge near the VA Hospital has issues with the asphalt but there is a project in place for next year which would take care of that issue.
- A potential legal issue that may incur extra costs with the Auditor.

Councilman Pasquale requested to have Ordinance 516 be put on December's Agenda to be discussed at the Council Meeting.

ITEMS SUBMITTED BY MAYOR AND COUNCIL:

Councilman Jaremchuk reported there is a pothole in the area of 306 Taylor Road. He also requested to have the engineers take a look at the bridge on Taylor Road, specifically the walls to see if they are safe. He further mentioned a request was made by one of his constituents for a bench and trash can be placed at the intersection of Rosemont Avenue and Taylor Road, due to this area being a bus stop for school children and would give the parents a place to sit while waiting with their children.

Councilwoman Personti mentioned for the record if any of her constituents happens to come up and ask for something, she wants to be made aware of the request.

Councilman Novak reported he met with Officer Haines regarding individuals running stop signs in his district. Officer Haines suggested having the white stripes painted for the purpose of a walk-way, in hopes it would at least slow down the drivers.

Councilman McKewen mentioned he hasn't had any further complaints regarding the issue in the area of Tamarack and Carolyn Avenues.

Councilman Novak reported the City of Wilmington is letting go a Code Enforcement Supervisor and an Inspector, and further suggested we may want to look into these individuals.

Councilman McKewen reported where handicap signs have been taken down for one reason or another, the curbs are not being repainted.

Councilwoman Personti asked what procedure is being done regarding out-of-state vehicles, since there are currently two in her district that she has noticed.

Councilman Pasquale asked if there was an update from FEMA regarding Richard Avenue.

Mr. Giles reported FEMA has not responded back to him as of yet.

Councilman Pasquale commented that a resident mentioned to him that the speed trailer was taking her picture as she was driving in the opposite direction.

Mr. Giles, on behalf of all the employees, thanked Mrs. Olga for her proposal that she made tonight regarding the incentive program.

PUBLIC COMMENT:

Mrs. Olga thanked Town Manager, John Giles and the Public Works Department for being available on Election Day in helping set up the Council Chambers.

ADJOURNMENT:

ACTION: A motion was made by Councilman Novak to adjourn and go into Executive Session to discuss legal matters and not return to Public Session. The motion was seconded by Councilman Pasquale.

VOTE:

7 – 0

Motion carried

The meeting was adjourned at approximately 8:16 p.m.

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

DEBORAH A. NORKAVAGE
MAYOR

JOANN I. PERSONTI
SECRETARY